

### **REMARKS**

Applicants respectfully request reconsideration and allowance of the above-identified patent application. Claims 36-71 remain pending, of which claims 36 and 66 are independent method claims. As indicated above, claims 36 has been amended by this paper.<sup>1</sup>

Initially, Applicants note with appreciation the Examiner's consideration of the documents submitted in the Supplemental Information Disclosure Statement filed April 26, 2005.

The Office Action rejects claims 36, 38-40, 47-54, 56-59, 63, and 66-67 under 35 U.S.C. §103(a) as allegedly being unpatentable over U.S. Patent No. 5,819,004 to Azadegan et al. (*Azadegan*) in view of U.S. Patent No. 5,892,535 to Allen et al. (*Allen*). Claims 37 and 41-46 are rejected under 35 U.S.C. §103(a) as allegedly being unpatentable over *Azadegan* and *Allen* in further view of U.S. Patent No. 5,926,569 to Nickerson (*Nickerson*). Claims 55 and 68 are rejected under 35 U.S.C. §103(a) as allegedly being unpatentable over *Azadegan* and *Allen* in further view of U.S. Patent No. 6,049,316 to Nolan et al. (*Nolan*). Claim 64 is rejected under 35 U.S.C. §103(a) as allegedly being unpatentable over *Azadegan* and *Allen* in further view of U.S. Patent No. 6,175,650 to Sindhu et al. (*Sindhu*). Claim 69 is rejected under 35 U.S.C. §103(a) as allegedly being unpatentable over *Azadegan* and *Allen* in further view of U.S. Patent No. 5,617,333 to Oyamada et al. (*Oyamada*). Claim 70 is rejected under 35 U.S.C. §103(a) as allegedly being unpatentable over *Azadegan* and *Allen* in view further view of U.S. Patent No. 5,619,591 to Tsang et al. (*Tsang*). Claims 60-62, 65, and 71 are rejected under 35 U.S.C. §103(a) as allegedly being unpatentable over *Azadegan* and *Allen* in further view of U.S. Patent No. 6,003,030 to Kenner et al. (*Kenner*).<sup>2</sup> For at least the following reasons, Applicants respectfully traverse these grounds of rejection.

Applicants' invention, as claimed for example in independent method claim 36, relates to generating a compressed video stream in order to provide a client with remote access to a program running at a server. The method includes: executing a program at the server, the

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<sup>1</sup> Claim 36 has been amended to correct a typographical error in the preamble of the claim. As such, if the next Office Action relies on new grounds of rejection such Office Action should not be made final since such correction cannot be said to have necessitated the new grounds of rejection.

<sup>2</sup> Although the prior art status of the cited art is not being challenged at this time, Applicants reserve the right to challenge the prior art status of the cited art at any appropriate time, should it arise. Accordingly, any arguments and amendments made herein should not be construed as acquiescing to any prior art status of the cited art.

program providing a plurality of display commands which represent a user interface for the program; drawing at least a portion of the user interface for the program on a virtual display at the server; prior to compressing the user interface for remote display at the client, generating a plurality of quantized transform coefficients from the display commands, wherein one or more different quantized transform coefficients are generated for different display commands; creating a compressed video stream from the plurality of display commands utilizing the coefficients; sending the compressed video stream to the client for remotely displaying the user interface at the client as a video stream as opposed to the plurality of display commands provided by the program; and receiving user input from the client that is directed to the user interface.

Similarly, Applicants' invention, as claimed for example in independent method claim 66, also relates to generating a compressed video stream in order to provide a client with remote access to a program running at a server. The method includes: executing a program at the server, the program providing a plurality of display commands which represent a user interface for the program; drawing at least a portion of the user interface for the program on a virtual display at the server; prior to compressing the user interface for remote display at the client, setting at least one compression parameter to different values for different ones of the display commands; creating a compressed video stream from the commands utilizing the at least one compression parameter; sending the compressed video stream to the client for remotely displaying the user interface at the client as a video stream as opposed to the plurality of display commands provided by the program; and receiving user input from the client that is directed to the user interface.

In order to establish a *prima facie* case of obviousness, "the prior art reference (or references when combined) must teach or suggest all the claim limitations." MPEP § 2143 (emphasis added). During examination, the pending claims are given their broadest reasonable interpretation, i.e., they are interpreted as broadly as their terms reasonably allow, consistent with the specification. MPEP §§ 2111 & 2111.01.

Applicants respectfully submit that the combination of *Azadegan* and *Allen* do not render independent claims 36 and 66 unpatentable for at least the reason that the combination does not disclose or suggest each and every element of these claims. For example, the combination of *Azadegan* and *Allen* does not disclose or suggest executing a program at a server, the program providing a plurality of display commands which represent a user interface for the program; drawing at least a portion of the user interface for the program on a virtual display at the server;

creating a compressed video stream from the plurality of display commands utilizing the coefficients; and sending the compressed video stream to the client for remotely displaying the user interface at the client as a video stream, as recited in claims 36 and 66.

*Azadegan* discloses a method and system for manually changing the quality of portions of video frames after the frames have been previously encoded. Abstract. After the input video is encoded into a compressed digital format, such as MPEG, the video is displayed and a user is allowed to enter commands indicating quality changes for regions within one or more frames. Col. 34, ll. 12-22; Fig. 21. Once the regions are defined and user defined priorities are entered, new quantizer values are estimated or determined based on the priority value and the prior quantizer value. Col. 36, ll. 34-41; Figure 22.

*Azadegan*, however, does not disclose or suggest executing a program at a server, the program providing a plurality of display commands which represent a user interface for the program; drawing at least a portion of the user interface for the program on a virtual display at the server; creating a compressed video stream from the plurality of display commands utilizing the coefficients; and sending the compressed video stream to the client for remotely displaying the user interface at the client as a video stream. In fact, *Azadegan* is silent with respect to executing a program at server and video compression of a program's user interface. Nevertheless, the Office Action cites col. 34, ll. 19-22, col. 76, ll. 16-22, and fig. 20, element 462, as allegedly executing a program, the program providing a plurality of display commands which represent a user interface for the program and creating a compressed video stream from the plurality of display commands utilizing the coefficients.

Although these cited sections of *Azadegan* at most disclose re-encoding of video that has been modified by a user using a user interface as described above, *Azadegan* does not disclose or suggest executing a program at a remote server that provides a user interface represented by a plurality of display commands and compression thereof. As such, *Azadegan* cannot possibly disclose or suggest executing a program at a server, the program providing a plurality of display commands which represent a user interface for the program; drawing at least a portion of the user interface for the program on a virtual display at the server; creating a compressed video stream from the plurality of display commands utilizing the coefficients; and sending the compressed video stream to the client for remotely displaying the user interface at the client as a video stream, as recited in claims 36 and 66.

Noting some of the deficiencies of *Azadegan*, the Office Action cites *Allen*. *Allen* discloses a flexible and configurable system for distributing media (or television programming) to one or more distribution networks. Abstract. *Allen* provides a broadcasting system that allows for ad insertion at "break" intervals of either national or local video television programming. See e.g., col. 17, l. 23 through col. 18, l. 67. *Allen* also provides for broadcasting compositing temporally related video frames when, for example, displaying a trailer of a movie from national video feed with an overlay of playtimes of that particular movie at local theaters. See e.g., col. 19 ll. 1-36. In addition, *Allen* also discloses a near video-on-demand (NVOD) feature that allows a subscriber to view availability and channel scheduling when ordering a particular program. See e.g., col. 19, l. 38 through col. 20, l. 2.

*Allen*, however, does not disclose or suggest executing a program at a server, the program providing a plurality of display commands which represent a user interface for the program; drawing at least a portion of the user interface for the program on a virtual display at the server; creating a compressed video stream from the plurality of display commands utilizing the coefficients; and sending the compressed video stream to the client for remotely displaying the user interface at the client as a video stream. In fact, *Allen* is silent with respect to executing a program at a server with user interface features, drawing the user interface for the program on a virtual display, and generating a compressed video stream in order to provide a client with remote access to the program running at the server. Nevertheless, the Office Action cites fig. 2 as allegedly disclosing a server (remote media server) connected to a client (subscribers) over a network that provides the client with remote access to a program running on the server. Further, the Office Action cites element 204 of fig. 2 as allegedly drawing at least a portion of the user interface for the program on a virtual display at the server.

Applicants respectfully note that these cited sections of *Allen* disclose (at most) running programs at either the local or remote media servers for determining what already compressed video data should be sent to subscribers at certain time intervals (e.g., determining what compressed local or remote ads to send during breaks in broadcasted television programming). *Allen* does not disclose or suggest, however, that these servers generate programs with display commands which represent a user interface for the program. Further, Applicants respectfully note that the server interface unit 204 of fig. 2 simply acts a communication link between the local media server and one or more distribution network interface(s), but in no way acts as a

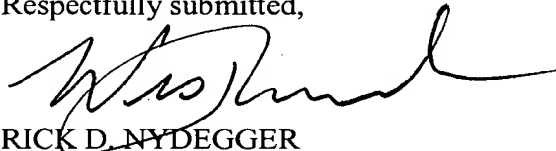
virtual display. For example, in col. 16, ll. 37-44 of *Allen* it states that the server interface unit 204 simply "buffers the files of compressed media (e.g., video), communicates the buffered files of compressed media data to appropriate...distribution network interface units 206 upon request..., and communicates control data to the local media server 202...." Accordingly, because the server interface unit and the local and remote media servers of *Allen* do not generate programs with display commands which represent a user interface for the program and draw at least a portion of the user interface on a virtual display at the servers, *Allen* cannot possibly rectify those deficiencies noted above with regards to *Azadegan*. In other words, the combination of *Azadegan* and *Allen* does not disclose or suggest each and every element of claims 36 and 66, and Applicants respectfully request withdrawal of these grounds of rejection.

Based on at least the foregoing reasons, Applicants respectfully submit that the cited prior art fails to make obvious Applicants' invention, as claimed for example, in independent claims 36 and 66. Applicants note for the record that the remarks above render the remaining rejections of record for the independent and dependent claims moot, and thus addressing individual rejections or assertion with respect to the teachings of the cited art is unnecessary at the present time, but may be undertaken in the future if necessary or desirable, and Applicants reserve the right to do so.

All objections and rejections having been addressed, it is respectfully submitted that the present application is in condition for allowance, and notice to this effect is earnestly solicited. Should any question arise in connection with this application or should the Examiner believe that a telephone conference with the undersigned would be helpful in resolving any remaining issues pertaining to this application, the undersigned respectfully requests that he be contacted at +1.801.533.9800.

Dated this 19<sup>th</sup> day of July, 2005.

Respectfully submitted,



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